

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

GEORGE HARRIS,

Plaintiff,

V.

AIR TRANSPORT DISTRICT 143
INTERNATIONAL ASSOCIATION OF
MACHINISTS & AEROSPACE
WORKERS, LOCAL LODGE 1040
INTERNATIONAL ASSOCIATION OF
MACHINISTS & AEROSPACE
WORKERS.

Defendants.

CASE NO. C05-1824JLR

MINUTE ORDER

The following minute order is made by the direction of the court, the Honorable James L. Robart:

The court has received Plaintiff's complaint in this action. It alleges discrimination and retaliation in violation of the Washington Law Against Discrimination ("WLAD"). Plaintiff is proceeding without a lawyer in this matter. The court has reviewed the complaint and finds that it states no basis for this court's jurisdiction. For that reason, the court DISMISSES the action without prejudice.

In civil disputes where the United States or its agencies are not parties, this court has jurisdiction in two types of cases. First, it has “federal question” jurisdiction over any action that “aris[es] under the Constitution, laws, or treaties of the United States.”²⁸

MINUTE ORDER - 1

1 U.S.C. § 1331. Second, it has “diversity” jurisdiction over civil actions where the
2 plaintiff is a citizen of a different state than every defendant, and the amount in
3 controversy in the action exceeds \$75,000. 28 U.S.C. § 1332(a).

4 Plaintiff’s complaint states no basis for jurisdiction. The court cannot exercise
5 federal question jurisdiction because Plaintiff’s claims arise under Washington law
6 (specifically the WLAD), not under the laws of the United States. The court cannot
7 exercise diversity jurisdiction because Plaintiff admits that he and the trade union
8 Defendants are citizens of Washington.

9
10 The court is obliged to scrutinize actions before it to determine if it has jurisdiction
11 over the subject matter. Fed. R. Civ. P. 12(h)(3). For the reasons stated above, the court
12 lacks jurisdiction over this action, and therefore DISMISSES this action without prejudice
13 to Plaintiff filing a new action that properly invokes this court’s subject matter
14 jurisdiction.
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16 Filed and entered this 14th day of November, 2005.

17 BRUCE RIFKIN, Clerk

18 s/Mary Duett

19 By Deputy Clerk
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